

**IN THE COURT OF JUDICIAL MAGISTRATE NO. IV: MADURAI.**

Present Thiru.R.Sundara Kamesh Marthandan, B.L.

Monday on this 27<sup>th</sup> day of July 2020

Cr. M.P. No. 685 of 2020

in

Crime No.263 of 2018

Tamilselvan  
son of Nagarajan

...Petitioner/Accused

-vs-

State of Tamil Nadu,  
Represented by Inspector of Police,  
Koodalpudur Police Station.

...Respondent/Complainant.

This Petition filed under Section 437 Code of Criminal Procedure.

This Petition coming up today before me and upon hearing the argument of Mr. M.Jayapal, counsel for the Petitioner and Assistant Public Prosecutor for the Respondent, over phone, this court passes the following :-

**ORDER**

1) This Petition is filed under Section 437 Cr. P.C. The Petitioner was arrested for offence alleged under Section 394 @ 392,109,414 IPC and remanded to Judicial Custody on 12.03.2020

2) The Petitioner contend that the case has been falsely foisted against the Petitioner. The Petitioner is a law abiding citizen and that he will not abscond. He is in judicial custody for the past one hundred and thirty seven days. There are six accused in this case. All other accused are enlarged on bail.

3) The Respondent had strongly opposed granting of bail to Petitioner. The Respondent had stated that investigation in this case has been completed and that the

Final Report is pending for APP approval. If the Petitioner is enlarged on bail, he will cause hindrance to court proceedings and that he will abscond.

4) The rival submissions made on both side was considered. On perusal of records it could be seen that the Petitioner is in Judicial Custody for the past 137 days and that the Respondent had stated that the investigation is completed in this case. Such being the case, this Court is inclined to enlarge the Petitioner on bail, subject to the following conditions: -

- a. The Petitioner shall execute a bond for Rs. 10,000/- (Rupees Ten Thousand Only) before the Prison Authority, for the present.
- b. Withing three weeks from the lifting of Lock Down because of COVID-19 Virus, the Petitioner shall furnish two sureties for Rs. 10,000/- (Rupees Ten Thousand Only) each before this Court.
- c. Thereafter the Petitioner shall appear before this Court for a period of Two Weeks, daily morning at 10 am.
- d. The Petitioner shall not tamper with evidence, threaten, coerce or in any way dissuade the witness to the incident.

Dictated by me to the Typist and Typed by her in computer directly and corrected and Pronounced by me via e-mail on this 27<sup>th</sup> day of July 2020.

S/d- R.Sundara Kamesh Marthandan,  
Judicial Magistrate IV,  
Madurai.